

July 22 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

CURT DRAKE
Drake Law Firm, P.C.
111 North Last Chance Gulch
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Helena, MT 59624-1181
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ATTORNEYS FOR RESPONDENT

BEFORE THE COMMISSION ON PRACTICE
OF THE SUPREME COURT OF THE STATE OF MONTANA

IN THE MATTER OF STEVEN S. CAREY,
An Attorney at Law,
Respondent.

} Supreme Court Cause No. PR09-0384
} ODC File No. 08-194
}
} **RESPONDENT'S FIRST DISCOVERY**
} **REQUESTS TO DISCIPLINARY**
} **COUNSEL/COMMISSION ON PRACTICE**

COMES NOW Respondent, and requests that the following information be provided,
pursuant to Rules of Lawyer Disciplinary Enforcement 19(D); 20(A)(4); 22(A):

REQUESTS FOR PRODUCTION

1. Please provide a copy of the Commissioner's entire file, pursuant to Rule
20(A)(4).

2. To the extent not provided in response to the preceding Request for Production,
please provide a copy of the following:

- a) statements of all persons interviewed through the Office of Disciplinary
Counsel regarding this matter;
- b) copies of all documents received by any witness or informant regarding
this matter;
- c) copies or transcriptions of any tape recordings or other summaries in
any form of any witness statements taken regarding this matter;

1. RESPONDENT'S FIRST DISCOVERY REQUESTS TO DISCIPLINARY COUNSEL/COMMISSION ON PRACTICE

- 1 d) copies of all interviews, including partial interviews, of Respondent;
2 e) copies of all documents or interviews tending to exonerate Respondent
3 of any of the charges outlined in the Complaint; and
4 f) copies of all reports received by you from any consulting or expert
5 witness regarding this matter.

6 **INTERROGATORIES**

7 1. Please list the names of all persons whom you believe have information relevant
8 to this matter.

9 2. Please list the names of all witnesses whom you may call as witnesses at any
10 hearing of this matter.

11 3. Please list, by interviewee and date, all interviews, conversations, or other
12 contacts which the Office of Disciplinary Counsel has had with any potential witness
13 regarding this matter.

14 4. Please list the name, current street address, and current telephone number for
15 each person whom you anticipate you may call as an expert witness at the trial of this case.

16 5. For each of the experts listed in answer to the preceding interrogatory, please
17 provide:

- 18 a) the subject matter of the expert's testimony;
19 b) the substance of the facts and opinions to which the expert is expected to
20 testify; and
21 c) a summary of the grounds for each opinion.

22 DATED this 22nd day of July, 2009.

23 DRAKE LAW FIRM, P.C.

24 BY: Curt Drake
25 Curt Drake
26 111 North Last Chance Gulch
27 Suite 3J, Arcade Building
P. O. Box 1181
Helena, MT 59624-1181

1 **CERTIFICATE OF SERVICE**

2 I, Curt Drake, attorney for Respondent Steven S. Carey, hereby certify that I mailed
3 a true and correct copy of the **RESPONDENT'S FIRST DISCOVERY REQUESTS TO**
4 **DISCIPLINARY COUNSEL/COMMISSION ON PRACTICE**, postage fully prepaid by U. S.
5 Mail, on this 22nd day of July, 2009, to the following:

6 Shaun R. Thompson, Esq.
7 Disciplinary Counsel
8 P. O. Box 1099
9 Helena, MT 59624-1099

10 Commission on Practice
11 Montana Supreme Court
12 323 Justice Building, 215 North Sanders
13 P. O. Box 203003
14 Helena, MT 59620-3003

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Curt Drake